

To rebut the Examiner's prima facie case of obviousness, "[A]pplicant must show that the particular range is critical, generally by showing that the claimed range achieves unexpected results relative to the prior art range." In re Woodruff, 919 F.2d 1575, 16 USPQ2d 1934 (Fed. Cir. 1990). As shown in the translated version, Hisao discloses gate thicknesses generally around 100 nm. However, Hisao fails to disclose a gate thickness that is less than 100 nm, yielding the unexpected results (beginning Page 7, line 24, for example), reducing the thermal capacity of the gate electrode to thereby allow the gate to more closely follow the temperature of the insulating substrate. This expands the process margin during laser anneal and alleviates level differences to thereby suppress pinhole formation. These features are not contemplated by the cited reference, are unexpected and are not rendered obvious by the cited reference. Accordingly, Applicant respectfully requests reconsideration of the rejected claims, and submits that independent Claims 1 and 5 and all claims depending therefrom are in condition for allowance.

#### CONCLUSION

For at least the above reasons, Applicants respectfully submits that the present invention, as claimed, is patentable over the prior art. If the Examiner has any issues which he believes can be expedited by a telephone conference, he is encouraged to telephone the undersigned Representative. All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance, and a Notice to that effect is earnestly solicited. It is believed that any additional fees due with respect to the filing of this paper should be identified in any accompanying transmittal. However, if any additional fees are required in connection with the filing of this paper that are not identified in any accompanying transmittal, permission is given to charge Deposit Account 18-0013 in the name of Rader, Fishman & Grauer PLLC.

Respectfully submitted,

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By: 

Ronald P. Karanen, Registration No.; 24,104  
Rader, Fishman & Grauer PLLC  
Lion Building  
1233 20<sup>th</sup> Street N.W., Suite 501  
Washington, D.C. 20036  
CUSTOMER NO. 23353  
(202) 955-3750  
*Attorney for Applicants*

DC099645